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4/25/2016

County of San Luis Obispo Planning Commission
1055 Monterey St.
Rm. D170
San Luis Obispo, CA 93408

Re: DRC2015-00047
Applicant: Dean Vadnais
Recycling Collection Station
Hearing Date: 5/26/2016

Dear Planning Commissioners:

This letter is submitted on behalf of the Applicant, the operator of the recycling collection station and the Cookie Crock grocery store, a significant interested party to this proceeding, and supplements our initial letter dated 3/23/2016.

We request that the Commission issue the MUP (i) without requiring the Applicant to apply for a building permit because all structures are mobile and (ii) allowing the Operator to crush cans during its regular hours of operation and bottles from 3p.m. to 5 p.m. Tuesday through Thursday. The Applicant has fulfilled all requirements for the proposed MUP, and your Staff has recommended its issuance.

A. The Collection Station has the Support of the local Cambria Community and State Legislature.

We have provided your staff with signatures of over 600 Cambrians and users of the Center on a Petition urging the Commission to grant the MUP. More signatures and additional support will be presented at the hearing. This public support underscores the significant public interest served by the Center. As stated in our earlier letter, recycling centers all over the Central Coast have gone out of business due in large part to the harsh economic realities of this business. This particular Center can operate financially because it is operated efficiently and because it is underwritten by Dean Vadnais who charges it no rent at its current location. The Commission's failure to approve

the MUP will threaten a significant public policy as declared by the State Legislature in Section 14501 of the Public Resources Code:

“Experience in this state and others demonstrate that financial incentives and convenient return systems ensure the efficient and large-scale recycling of beverage containers. Accordingly, **it is the intent of the Legislature to encourage increased, and more convenient, beverage container redemption opportunities for all consumers.** These redemption opportunities shall consist of dealer and other **shopping center locations**, independent and industry operated recycling centers, curbside programs, and other recycling systems that assure all consumers, in every region of the state, the opportunity to return beverage containers conveniently, efficiently, and economically.”

The Center is located in the same shopping center as the only grocery store in Cambria and in the heart of Cambria’s central business district. The location is convenient for all consumers. It provides a site that limits traffic congestion and threats to pedestrians. Unlike larger communities, Cambria has limited space for this type of facility. Some interference with private interests is inevitable given the small size of the community. Recycling is a totally appropriate use at this location.

B. No Other Alternative Location is Available.

Your staff has confirmed that the CCSO cannot offer an alternative location for the Center. Placing the Center on the Fiscallini Ranch would be contrary to its governing documents. The Center cannot be located anywhere else in the shopping center because any other location would cause conflicts with persons utilizing the retail and professional services in the center. It cannot be located in the Cookie Crock parking lot due to its small size, its regular congestion, and traffic from large delivery vehicles. Moving it into the parking lot immediately below its current location will not substantially reduce the noise about which Mr. and Mrs. Morrison complain and will increase traffic hazard in the lot as well as eliminate needed parking.

Some members of the Commission have suggested that unauthorized drop-offs are an issue, but such behavior would be an issue at any location.

Other members have indicated a desire that an electrical line be run to the Center, but the cost of providing electrical service would be prohibitive.

Despite great efforts to find an alternative location, no practicable alternative has been found.

The Center meets all County specifications. The MUP should be issued.

C. The Opposition by Mr. and Mrs. John Morrison is Misleading.

When Mr. and Mrs. Morrison bought their home in 2005, the recycling center was already in operation near its current location. They elected to buy a home adjacent to and overlooking the major business district in Cambria, a location where a greater degree of noise, exhaust fumes, and air pollution can be reasonably expected. They bought their home with full knowledge of these circumstances. Presumably the purchase price reflected an appropriate discount for its location. They moved to this location and cannot in good faith now object to factors which existed at the time.

Moreover, the argument presented by their attorney that the Collection Center is a “Recycling and Scrap” processing facility is simply wrong. Sadly, their attorney was able to persuade County Code Enforcement (Art Trinidad) to shut-down the facility by classifying it as a scrap processing facility. This attempt was contrary to the CZLUO and was a major, unnecessary financial burden on the operator.

D. Conclusion.

The Applicant has fulfilled all requirements for the proposed MUP. The Applicant requests that the Commission issue the MUP (i) without requiring it to apply for a building permit because all structures are mobile and (ii) allowing it to crush bottles and cans.

Respectfully Submitted,

Russell S. Read